

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MAGDA CROWELL-CONVERSE,
on behalf of herself, FLSA Collective
Plaintiffs and the Class,

Plaintiff,

-against-

STATEN ISLAND AID FOR RETARDED
CHILDREN, INC.
d/b/a COMMUNITY RESOURCES
and DANA MAGEE,.

Defendants.
-----X

Case No. 20 CV 00637 (ENV) (LB)

STIPULATION OF CONDITIONAL
COLLECTIVE CERTIFICATION

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff MAGDA CROWELL-CONVERSE ("Plaintiff") and Defendants (as defined below, and collectively with Plaintiff, the "Parties"), acting by means of their respective counsel, that:

(1) Defendants STATEN ISLAND AID FOR RETARDED CHILDREN, INC. d/b/a COMMUNITY RESOURCES and DANA MAGEE (collectively, "Defendants") consent to a conditional collective certification for all current and former Residential Managers, Residential Coordinators and Qualified Intellectual Disability Professionals employed by Defendants at any time between November 30, 2017 and the present ("Covered Employees").

(2) Defendants will provide, with respect to Covered Employees, in Microsoft Excel format, the names, titles, last known mailing addresses, last known personal email addresses (if any), and dates of employment within 14 days of Court approval of this stipulation;

(3) Plaintiff's counsel will mail the collective certification notice (attached hereto), to Covered Employees within 10 days of receiving collective information from Defendants;

(4) In the event that any of the collective certification notices sent to Covered Employees are returned to Plaintiff's counsel as "undeliverable", Plaintiff's counsel shall notify Defendants' counsel in writing, who will then provide Plaintiff's counsel with Social Security numbers (if known) of Covered Employees whose notices were returned as undeliverable. If provided, this information shall be maintained by Plaintiff's counsel as confidential and not used for any other purpose other than to obtain an accurate mailing address;

(5) All of the information referenced in (4) above shall be maintained by Plaintiff's counsel as confidential and shall not be used for any other purpose (including, without limitation, any other litigation) other than for dissemination of the Notice and Consent to Sue forms in the case at hand and in the manner described herein;

(6) Plaintiff's counsel shall provide to Defendants' counsel the finalized notice and consent form with the mailing dates; and

(7) Nothing set forth herein shall be construed as a stipulation by Defendants that Plaintiff and the individuals to whom such Notices shall be sent are, in fact, "similarly situated" under the law. Nor shall this stipulation be construed as waiving or impairing Defendants' right to challenge the propriety of proceeding as a collective or class action and/or the inclusion of any individual who opts into the collective action.

For Defendants:

By: 

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Date: 1/15/21

For Plaintiff, FLSA Collective Plaintiffs and the Class:

By: 

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Date: 1/15/21

SO ORDERED,

Dated: Brooklyn, New York

The Honorable Lois Bloom, U.S.M.J.